

to the quantity or composition of the off-site material received at the plant site could cause the total annual HAP quantity in the off-site material to the exceed limit of 1 megagram per year.

(e) *Compliance dates*—(1) *Existing sources*. The owner or operator of an affected source that commenced construction or reconstruction before October 13, 1994, shall achieve compliance with the provisions of the subpart no later than July 1, 1999 unless an extension has been granted by the Administrator as provided in 40 CFR 63.6(i).

(2) *New sources*. The owner or operator of an affected source for which construction or reconstruction commences on or after October 13, 1994, shall achieve compliance with the provisions of this subpart by July 1, 1996 or upon initial startup of operations, whichever date is later as provided in 40 CFR 63.6(b). For the purpose of implementing this subpart, a waste management operation or recovery operation that commenced construction or reconstruction before October 13, 1994, and receives off-site material for the first time after July 1, 1999 is a new source, and the owner or operator of this affected source shall achieve compliance with the provisions of this subpart upon the first date that the waste management operation or recovery operation begins to manage the off-site material.

(f) The provisions of 40 CFR part 63, subpart A—General Provisions that apply and those that do not apply to this subpart are specified in Table 2 of this subpart.

§ 63.681 Definitions.

All terms used in this subpart shall have the meaning given to them in this section, 40 CFR 63.2 of this part, and the Act.

Boiler means an enclosed combustion device that extracts useful energy in the form of steam and is not an incinerator or a process heater.

Closed-vent system means a system that is not open to the atmosphere and is composed of hard-piping, ductwork, connections, and, if necessary, fans, blowers, or other flow-inducing devices that convey gas or vapor from an emission point to a control device.

Closure device means a cap, hatch, lid, plug, seal, valve, or other type of fitting that prevents or reduces air pollutant emissions to the atmosphere by blocking an opening in a cover when the device is secured in the closed position. Closure devices include devices that are detachable from the cover (e.g., a sampling port cap), manually operated (e.g., a hinged access lid or hatch), or automatically operated (e.g., a spring-loaded pressure relief valve).

Container means a portable unit used to hold material. Examples of containers include but are not limited to drums, dumpsters, roll-off boxes, bulk cargo containers commonly known as “portable tanks” or “totes”, cargo tank trucks, and tank rail cars.

Continuous record means documentation of data values measured at least once every 15 minutes and recorded at the frequency specified in this subpart.

Continuous recorder means a data recording device that either records an instantaneous data value at least once every 15 minutes or records 15-minutes or more frequent block averages.

Continuous seal means a seal that forms a continuous closure that completely covers the space between the edge of the floating roof and the wall of a tank. A continuous seal may be a vapor-mounted seal, liquid-mounted seal, or metallic shoe seal. A continuous seal may be constructed of fastened segments so as to form a continuous seal.

Control device means equipment used for recovering or oxidizing organic vapors. Examples of such equipment include but are not limited to carbon adsorbers, condensers, vapor incinerators, flares, boilers, and process heaters.

Cover means a device that prevents or reduces air pollutant emissions to the atmosphere by forming a continuous barrier over the off-site material managed in a unit. A cover may have openings (such as access hatches, sampling ports, gauge wells) that are necessary for operation, inspection, maintenance, and repair of the unit on which the cover is used. A cover may be a separate piece of equipment which can be detached and removed from the unit or a cover may be formed by structural

features permanently integrated into the design of the unit.

Emission point means an individual tank, surface impoundment, container, oil-water or organic-water separator, transfer system, process vent, or enclosure.

Enclosure means a structure that surrounds a tank or container, captures organic vapors emitted from the tank or container, and vents the captured vapor through a closed vent system to a control device.

External floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a tank with no fixed roof.

Fixed roof means a cover that is mounted on a unit in a stationary position and does not move with fluctuations in the level of the liquid managed in the unit.

Flame zone means the portion of the combustion chamber in a boiler or process heater occupied by the flame envelope.

Floating roof means a cover consisting of a double deck, pontoon single deck, or internal floating cover which rests upon and is supported by the liquid being contained, and is equipped with a continuous seal.

HAP means hazardous air pollutants.

Hard-piping means pipe or tubing that is manufactured and properly installed in accordance with relevant standards and good engineering practices.

Hazardous waste means a waste that is determined to be hazardous under the Resource Conservation and Recovery Act (PL 94-580) (RCRA), as implemented by 40 CFR parts 260 and 261.

Individual drain system means a stationary system used to convey wastewater streams or residuals to a waste management unit or to discharge or disposal. The term includes hard-piping, all drains and junction boxes, together with their associated sewer lines and other junction boxes (e.g., manholes, sumps, and lift stations) conveying wastewater streams or residuals. For the purpose of this subpart, an individual drain system is not a drain and collection system that is designed and operated for the sole purpose of collecting rainfall runoff (e.g., stormwater sewer system) and is seg-

regated from all other individual drain systems.

Internal floating roof means a cover that rests or floats on the liquid surface (but not necessarily in complete contact with it inside a tank that has a fixed roof).

Light-material service means the container is used to manage an off-site material for which both of the following conditions apply: the vapor pressure of one or more of the organic constituents in the off-site material is greater than 0.3 kilopascals (kPa) at 20 °C; and the total concentration of the pure organic constituents having a vapor pressure greater than 0.3 kPa at 20 °C is equal to or greater than 20 percent by weight.

Liquid-mounted seal means a foam- or liquid-filled continuous seal mounted in contact with the liquid in a unit.

Maximum HAP vapor pressure means the sum of the individual HAP equilibrium partial pressure exerted by an off-site material at the temperature equal to either: the local maximum monthly average temperature as reported by the National Weather Service when the off-site material is stored or treated at ambient temperature; or the highest calendar-month average temperature of the off-site material when the off-site material is stored at temperatures above the ambient temperature or when the off-site material is stored or treated at temperatures below the ambient temperature. For the purpose of this subpart, maximum HAP vapor pressure is determined using the procedures specified in §63.694(j) of this subpart.

Metallic shoe seal means a continuous seal that is constructed of metal sheets which are held vertically against the wall of the tank by springs, weighted levers, or other mechanisms and is connected to the floating roof by braces or other means. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

No detectable organic emissions means no escape of organics to the atmosphere as determined using the procedure specified in §63.694(k) of this subpart.

Off-site material means a material that meets all of the criteria specified

in paragraph § 63.680(b)(1) of this subpart but is not one of the materials specified in § 63.680(b)(2) of this subpart.

Off-site material management unit means a tank, container, surface impoundment, oil-water separator, organic-water separator, or transfer system used to manage off-site material.

Off-site material stream means an off-site material produced or generated by a particular process or source such that the composition and form of the material comprising the stream remain consistent. An off-site material stream may be delivered, transferred, or otherwise moved to the plant site in a continuous flow of material (e.g., wastewater flowing through a pipeline) or in a series of discrete batches of material (e.g., a truckload of drums all containing the same off-site material or multiple bulk truck loads of an off-site material produced by the same process).

Oil-water separator means a separator as defined for this subpart that is used to separate oil from water.

Operating parameter value means a minimum or maximum value established for a control device or treatment process parameter which, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator has complied with an applicable emission limitation or standard.

Organic-water separator means a separator as defined for this subpart that is used to separate organics from water.

Plant site means all contiguous or adjoining property that is under common control including properties that are separated only by a road or other public right-of-way. Common control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination thereof. A unit or group of units within a contiguous property that are not under common control (e.g., a wastewater treatment unit or solvent recovery unit located at the site but is sold to a different company) is a different plant site.

Point-of-delivery means the point at the boundary or within the plant site where the owner or operator first accepts custody, takes possession, or assumes responsibility for the management of an off-site material stream

managed in a waste management operation or recovery operation specified in § 63.680 (a)(2)(i) through (a)(2)(vi) of this subpart. The characteristics of an off-site material stream are determined prior to combining the off-site material stream with other off-site material streams or with any other materials.

Point-of-treatment means a point where the off-site material to be treated in accordance with § 63.683(b)(1)(ii) of this subpart exits the treatment process. The characteristics shall be determined before this material is conveyed, handled, or otherwise managed in such a manner that the material has the potential to volatilize to the atmosphere.

Process heater means an enclosed combustion device that transfers heat released by burning fuel directly to process streams or to heat transfer liquids other than water.

Process vent means any open-ended pipe, stack, or duct that allows the passage of gases, vapors, or fumes to the atmosphere and this passage is caused by mechanical means (such as compressors or vacuum-producing systems) or by process-related means (such as volatilization produced by heating). For the purpose of this subpart, a process vent is not a stack or duct used to exhaust combustion products from a boiler, furnace, process heater, incinerator, or other combustion device.

Recovery operation means the collection of off-site material management units, process vents, and equipment components used at a plant site to manage an off-site material stream from the point-of-delivery through the point where the material has been recycled, reprocessed, or re-refined to obtain the intended product or to remove the physical and chemical impurities of concern.

Safety device means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this subpart, a safety device is

not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the air emission control equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

Separator means a waste management unit, generally a tank, used to separate oil or organics from water. A separator consists of not only the separation unit but also the forebay and other separator basins, skimmers, weirs, grit chambers, sludge hoppers, and bar screens that are located directly after the individual drain system and prior to any additional treatment units such as an air flotation unit clarifier or biological treatment unit. Examples of a separator include, but are not limited to, an API separator, parallel-plate interceptor, and corrugated-plate interceptor with the associated ancillary equipment.

Single-seal system means a floating roof having one continuous seal. This seal may be vapor-mounted, liquid-mounted, or a metallic shoe seal.

Surface impoundment means a unit that is a natural topographical depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquids. Examples of surface impoundments include holding, storage, settling, and aeration pits, ponds, and lagoons.

Tank means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support and is designed

to hold an accumulation of liquids or other materials.

Transfer system means a stationary system for which the predominant function is to convey liquids or solid materials from one point to another point within a waste management operation or recovery operation. For the purpose of this subpart, the conveyance of material using a container (as defined for this subpart) or a self-propelled vehicle (e.g., a front-end loader) is not a transfer system. Examples of a transfer system include but are not limited to a pipeline, an individual drain system, a gravity-operated conveyor (such as a chute), and a mechanically-powered conveyor (such as a belt or screw conveyor).

Temperature monitoring device means a piece of equipment used to monitor temperature and having an accuracy of ± 1 percent of the temperature being monitored expressed in degrees Celsius ($^{\circ}\text{C}$) or ± 1.2 degrees $^{\circ}\text{C}$, whichever value is greater.

Treatment process means a process in which an off-site material stream is physically, chemically, thermally, or biologically treated to destroy, degrade, or remove hazardous air pollutants contained in the off-site material. A treatment process can be composed of a single unit (e.g., a steam stripper) or a series of units (e.g., a wastewater treatment system). A treatment process can be used to treat one or more off-site material streams at the same time.

Used oil means any oil refined from crude oil or any synthetic oil that has been used and as a result of such use is contaminated by physical or chemical impurities. This definition is the same definition of "used oil" in 40 CFR 279.1.

Used solvent means a solvent composed of a mixture of aliphatic hydrocarbons or a mixture of one and two ring aromatic hydrocarbons that has been used and as a result of such use is contaminated by physical or chemical impurities.

Vapor-mounted seal means a continuous seal that is mounted such that there is a vapor space between the liquid in the unit and the bottom of the seal.

Volatile organic hazardous air pollutant concentration or VOHAP concentration

means the fraction by weight of the HAP listed in Table 1 of this subpart that are contained in an off-site material. For the purpose of this subpart, VOHAP concentration is determined in accordance with the test methods and procedures specified in § 63.694 (b) and (c) of this subpart.

Waste means a material generated from industrial, commercial, mining, or agricultural operations or from community activities that is discarded, discharged, or is being accumulated, stored, or physically, chemically, thermally, or biologically treated prior to being discarded or discharged.

Waste management operation means the collection of off-site material management units, process vents, and equipment components used at a plant site to manage an off-site material stream from the point-of-delivery to the point where the waste exits or is discharged from the plant site or the waste is placed for on-site disposal in a unit not subject to this subpart (e.g., a waste incinerator, a land disposal unit).

Waste stabilization process means any physical or chemical process used to either reduce the mobility of hazardous constituents in a waste or eliminate free liquids as determined by Test Method 9095—Paint Filter Liquids Test in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” EPA Publication No. SW-846, Third Edition, September 1986, as amended by Update I, November 15, 1992. A waste stabilization process includes mixing the waste with binders or other materials, and curing the resulting waste and binder mixture. Other synonymous terms used to refer to this process are “waste fixation” or “waste solidification.” A waste stabilization process does not include the adding of absorbent materials to the surface of a waste, without mixing, agitation, or subsequent curing, to absorb free liquid.

§ 63.682 [Reserved]

§ 63.683 Standards: General.

(a) This section applies to owners and operators of affected sources as defined in § 63.680(c) of this subpart.

(b) The owner or operator shall control the air emissions from each af-

ected source in accordance with the following requirements:

(1) For each off-site material management unit that is part of an affected source, the owner or operator shall perform one of the following except when the unit is exempted under provisions of paragraph (c) of this section:

(i) Install and operate air emission controls on the off-site material management unit in accordance with the standards specified in §§ 63.685 through 63.689 of this subpart, as applicable to the unit;

(ii) Treat the off-site material to remove or destroy the HAP in accordance with the treatment standards specified in § 63.684 of this subpart before placing the material in the off-site material management unit; or

(iii) Determine that the average VOHAP concentration of each off-site material stream managed in the off-site material unit remains at a level less than 500 parts per million by weight (ppmw) based on the HAP content of the off-site material stream at the point-of-delivery. The owner or operator shall perform an initial determination of the average VOHAP concentration of each off-site material stream using the procedures specified in § 63.694(b) of this subpart before the first time any portion of the off-site material stream is placed in the unit. Thereafter, the owner or operator shall review and update, as necessary, this determination at least once every 12 months following the date of the initial determination for the off-site material stream.

(2) For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent by implementing one of the following control measures.

(i) Install and operate air emission controls on the process vent in accordance with the standards specified in § 63.690 of this subpart.

(ii) Determine that the average VOHAP concentration of each off-site material stream managed in the unit on which the process vent is used remains at a level less than 500 parts per million by weight (ppmw) based on the HAP content of the off-site material stream at the point-of-delivery. The